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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,512	11/21/2003	Yong Kun Kim	3449-0287P	8407
2292	7590	02/07/2006		
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER KEANEY, ELIZABETH MARIE	
			ART UNIT	PAPER NUMBER
			2882	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/717,512

Applicant(s)

KIM, YONG KUN

Examiner

Elizabeth Keane

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-15 and 17-25 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7-9 is/are rejected.
- 7) ☒ Claim(s) 4-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Amendments and Remarks filed 9 November 2005 have been entered.

Response to Arguments

Applicant's arguments filed 9 November 2005 with regard to claims 1-3 and 7-9 have been fully considered but they are not persuasive.

Applicant argues that Furusawa et al. (US Patent Application Publication 2002/0195920; hereinafter Furusawa) fails to teach "a radius of curvature from a center of the shadow mask in a major-axis, minor-axis and diagonal-axis direction to be substantially the same".

The Examiner respectfully disagrees. The specification fails to specifically set out a special definition of the term "substantially the same"; therefore the Examiner has interpreted this limitation to mean that the values do not have to be exactly the same and include values within the same order of magnitude. Since the values in Table 2 of Furusawa are within the same order of magnitude, it is held that Furusawa teaches the limitation of "a radius of curvature from a center of the shadow mask in a major-axis, minor-axis and diagonal-axis direction to be substantially the same". Accordingly, the rejection of record stands and can be found as follows.

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1,2,3 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Furusawa et al. (US Patent Application Publication 2002/0195920; hereinafter Furusawa).

Re claim 1: Furusawa discloses, in figure 1 and throughout the disclosure, a cathode ray tube comprising:

- a panel (1) having a fluorescent (4) formed on an inner surface thereof;
- a funnel (3) connected to the panel;
- an electron gun (9) housed in the funnel, emitting electron beams (91);
- a deflection yoke (10) for deflecting the electron beams in a horizontal and vertical directions;
- a shadow mask (5) for selecting colors of the electron beams; and

- a mask frame (6) for supporting the shadow mask
 - wherein an outer surface of the panel is substantially flat and an inner surface has a designated curvature (page 1, paragraph 22, lines 1-2); and
 - a radius of curvature from a center of the shadow mask in a major-axis (R_{ma}), a minor axis (R_{mi}) and a diagonal axis (R_d) is substantially the same (Page 2, Table 2, line 1).

Re claim 2: Furusawa discloses the radii of curvature of the shadow mask are substantially the same within the length $H/12$ from the center of the shadow mask, H being the minor-axis direction length of the shadow mask (Page 2, Table 2, lines 1-2).

Re claim 3: Furusawa discloses the radii of curvature of the shadow mask are substantially the same as a distance from the center of the shadow mask is increased in the major-axis, minor-axis and diagonal-axis directions (Page 2, Table 2).

Re claim 7: Furusawa discloses if the radius of curvature from the center of the shadow mask in a major-axis direction is R_{xo} , the radius of curvature in the minor-axis direction R_{yo} , and the radius of curvature in a diagonal-axis direction R_{do} , the R_{yo} has the lowest value among the R_{xo} , R_{yo} , and R_{do} (Table 2, R_{mi}).

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa as applied to claims 1 and 10 above, and further in view of Nishiki et al. (US Patent Application Publication 2001/0018309; hereinafter Nishiki).

Furusawa teaches all the limitations as shown above, including a shadow mask.

However, Furusawa fails to teach or fairly suggest the thickness of the shadow mask.

Nishiki discloses the use of a 0.1mm thick shadow mask within a CRT (page 5, paragraph 102, line 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the shadow mask of Furusawa to be 0.1mm thick because it would allow for the adequate manipulation for the desired radii of curvature while adding a negligible amount of weight to the CRT.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furusawa as applied to claims 1 and 10 above, and further in view of Kawamura et al. (US Patent 6,448,706; hereinafter Kawamura).

Furusawa teaches all the limitations above.

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However, Furusawa fails to teach or fairly suggest a transmittance at a central portion of the panel to be in the range of 45-75%.

Kawamura teaches that the transmittance at the central portion of a panel in a CRT is dependent upon the material selected for the panel (column 4, Table 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a Tint or Dark Tint material for the panel of the Furusawa because it improves the contrast of the image without employing an additional step of coating during the manufacturing of the device (Kawamura; column 3, lines 59-63).

Allowable Subject Matter

Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 10-15 and 17-25 are allowed over the prior art of record.

The following is a statement of reasons for the indication of allowable subject matter: as set forth in the previous office action.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth Keaney whose telephone number is (571)272-2489. The examiner can normally be reached on Monday, Tuesday, Thursday, Friday 7:30-6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on (571)272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Elizabeth Keaney
Examiner
Art Unit 2882



EDWARD J. SLICK
SUPERVISORY PATENT EXAMINER